

2163.01. Appellants' specification as filed discusses the "canonical format conversion" in only a few places and all of those save one are directed to data output from a host to a remote device. At only one location does the specification discuss receiving messages in the reverse direction from a remote device to a host (See Appellants' specification page 12, lines 12-16). Claim 72 is specifically directed to requests from a remote device to a host. This very limited originally filed disclosure of receiving messages from a remote device at a host does not support the current claim language, which recites detailed functions and other limitations not found in the few lines on page 12 of Appellants' specification." Board's Decision, pp. 11-12; Rejection of 11/10/2004, pp. 2-3.

As pointed out by the Board, the specification literally discusses receiving messages in the reverse direction from a remote device to a host with "canonical format conversion" through the following passage:

"The presentation manager component 52 also receives incoming messages from the remote device, converts choice information and form fields from the device specific format to a tagged canonical representation, and routes the representation to the appropriate component within the dialog services set 80." Specification, pp. 12-16.

As stated in MPEP § 2163.02,

The subject matter of the claim need not be described literally (i.e., using the same terms or *in haec verba*) in order for the disclosure to satisfy the description requirement.

Indeed, as admitted by the Board, the original specification does *literally* discuss the claimed invention, specifically, the receiving of messages from a remote device to a host with "canonical format conversion." Further, it is submitted that when such literally passage is read in the context of the original specification as a whole, the original specification does provide support for the claimed invention. For example, the original specification states that the dialog services set 80, to which the tagged canonical representation is routed from the presentation manager component 52, includes at least one mini-app component 83, as recited below.

"F. Dialog Services Set 80

The dialog services set 80 is responsible for the semantic content and interaction

with the customer and for initiating transactions on the customer's behalf. The dialog services set 80 includes a welcome mat component 81, at least one navigation shell component 82, at least one mini-app dialog component 83, and at least one legacy app bridge component 84. Although the navigation shell component 82, the mini-app dialog component 83 and the legacy app bridge component 84 have been shown as single components, each of these components may comprise a plurality of components." Specification, p. 18, lines 22+.

The original specification further provides walk-through examples, with reference to Figures 7A, 7B, 8A, and 8B, to show the receiving of messages or requests from a remote device to a host with "canonical format conversion." For example, in Figure 7A, at E41, the specification provides that,

At step E41, the customer selects a mini-app with the touch point and display component 31 and the request is sent into the delivery system 12. At step E42, the presentation manager component 52 demultiplexes the request based on mime-type and URL and sends the request to the navigation shell component 82. At step E43, the navigation shell component 82 instantiates the appropriate mini-app dialog component 83. At step E44, the mini-app dialog component 83 returns choices to the customer. At step E45, a back and forth dialog occurs between the customer and the mini-app dialog component 83 until all information is collected for a function. During this step, the mini-app dialog component 83 directs business rule questions to the rule broker component 121 for resolution during the dialog. Specification, p. 34, lines 34+.

Figure 8A shows E41, whereby the presentation manager 52 receives the message or request for a mini-app (e.g., for a service function) and forward it to the mini-app dialog component 83. Figure 8A also shows E45, whereby a back-and-forth dialog occurs between the customer and the mini-app dialog component inherently through the presentation manager 52. As literally discussed in the original specification and aforementioned, the presentation manager 52 is responsible for the "canonical format conversion" between the customer's remote device and the mini-app dialog component 83. This is further affirmed by the following passages in the original application,

“A one to one mapping exists between canonical templates that mini-app dialog components 83 reference and delivery vehicle specific templates that the presentation manager component 52 uses.” Specification, p. 36, lines 9-11.

And,

“The canonical templates that mini-app dialog components 83 use are bounded by a frame. The mini-app dialog components 83 are responsible for setting the properties of the named objects within its canonical templates.” Specification, p. 37, lines 25+.

In other words, because the mini-app dialog components use canonical templates and thus canonical format to process data, requests from a customer’s remote device to the mini-app dialog must be converted to a canonical format by the presentation manager in order for the mini-app dialog components to process.

Accordingly, it is respectfully submitted that pending claims 58-111 are properly supported by the disclosure as originally filed, which complies with the written description requirement set forth under 35 USC 112, first paragraph.

Rejection of claims 58-111 under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claim 1-70 of U.S.P. No. 5,933,816

This rejection may be overcome by the filing of a terminal disclaimer. Accordingly, submitted herewith is the requisite terminal disclaimer.

Conclusion

For at least all of the above reasons, it is respectfully submitted that the present invention is neither disclosed nor suggested by the references of record, and the claims now pending patentably distinguish the present invention from the references of record. Accordingly,

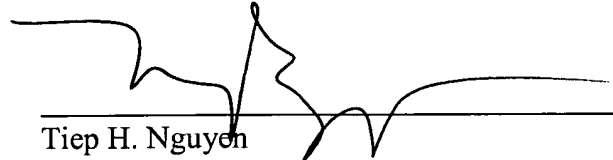
reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited upon the filing of a continuation.

Respectfully submitted,

Date:

5/10/2005

By:



Tien H. Nguyen
Registration No. 44,465

KILPATRICK STOCKTON LLP
607 14th Street, N.W.
Suite 900
Washington, DC 20005
Tel: (202) 508-5800
Fax: (202) 508-5858